

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

ELAINE JACKSON, as next friend of §
CHEIKH JACKSON and OKOFO §
JACKSON, and DEWAYNE §
CHARLESTON; §

Plaintiffs, §
§
vs. §

Case No. 07-3086

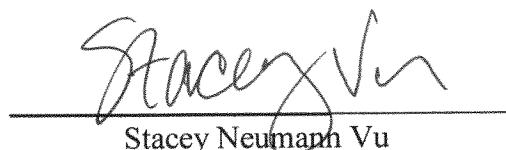
WALLER INDEPENDENT SCHOOL §
DISTRICT; §

Defendant. §

DECLARATION OF STACEY NEUMANN VU

1. My name is Stacey Neumann Vu. I am counsel for Defendant Waller Independent School District in the above-referenced action.
2. Attached as Exhibit A is a true and correct copy of the Unofficial Cumulative Report and Precinct Reports from the May 10, 2008 Waller ISD Board of Trustees Election.
3. Attached as Exhibit B is a true and correct copy of an election flyer that I understand was distributed to students at Prairie View A&M University.
4. Attached as Exhibit C is a true and correct copy of e-mail correspondence between Ty Clevenger to Pat Mizell dated May 13, 2008 discussing the flyer attached as Exhibit B.
5. I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: May 22, 2008.



Stacey Neumann Vu

Exhibit A

Cumulative Report — Unofficial
Waller, Texas — Waller ISD Board of Trustees Election — May 10, 2008

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Precincts Reporting 4 of 4 = 100.00%

Total Number of Voters : 1,317 of 39,996 = 3.29%

Party	Candidate	Early		Election		Total	
		Cast	Votes:	Over	Votes:	Under	Votes:
Trustee, Position 1, Vote For 1							
David A. Kirkpatrick	Jerniah Richards	116	13.02%	44	10.48%	160	12.20%
		775	86.98%	376	89.52%	1,151	87.80%
Cast Votes:		891	99.86%	420	99.28%	1,311	99.54%
Over Votes:		0	0.00%	0	0.00%	0	0.00%
Under Votes:		3	0.34%	3	0.71%	6	0.46%
Trustee, Position 2, Vote For 1							
Charli Cooksey	Shaun P. Nelson	781	85.60%	337	81.40%	1,098	84.27%
		128	14.40%	77	18.60%	205	15.73%
Cast Votes:		889	99.44%	414	97.87%	1,303	98.94%
Over Votes:		0	0.00%	0	0.00%	0	0.00%
Under Votes:		5	0.56%	9	2.13%	14	1.06%

Precinct Report — Unofficial
Waller, Texas — Waller ISD Board of Trustees Election — May 10, 2008

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05/12/2008 03:11 PM
 Precincts Reporting 4 of 4 = 100.00%

Total Number of Voters : 1,317 of 39,996 = 3.29%

Party	Candidate	Early		Election		Total	
		Cast Votes:	Over Votes:	Under Votes:	Cast Votes:	Over Votes:	Under Votes:
Precinct 1-Junior High (Ballots Cast: 624)							
Trustee, Position 1, Vote For 1							
Jermiah Richards		4	0.93%		5	2.56%	9 1.44%
David A. Kirkpatrick		424	99.07%		190	97.44%	614 98.56%
Cast Votes:		428	99.77%		195	100.00%	623 99.84%
Over Votes:		0	0.00%		0	0.00%	0 0.00%
Under Votes:		1	0.23%		0	0.00%	1 0.16%
Trustee, Position 2, Vote For 1							
Shaun P. Nelson		419	97.90%		184	95.34%	603 87.10%
Charli Cooksey		9	2.10%		9	4.65%	18 2.90%
Cast Votes:		428	99.77%		193	98.97%	621 99.52%
Over Votes:		0	0.00%		0	0.00%	0 0.00%
Under Votes:		1	0.23%		2	1.03%	3 0.48%

**Precinct Report — Unofficial
Waller, Texas — Waller ISD Board of Trustees Election — May 10, 2008**

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Precincts Reporting 4 of 4 = 100.00%

Total Number of Voters : 1,317 of 39,996 = 3.29%

Party	Candidate	Early	Election	Total
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Precinct 2 Comm Ctr (Ballots Cast: 310)

Trustee, Position 1, Vote For 1

Jermiah Richards	110	57.89%	36	31.03%	146	47.71%
David A. Kirkpatrick	80	42.11%	80	68.97%	160	52.29%

Cast Votes:

190	99.48%	116	97.48%	306	98.71%
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Over Votes:

0	0.00%	0	0.00%	0	0.00%
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Under Votes:

1	0.52%	3	2.52%	4	1.29%
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Trustee, Position 2, Vote For 1

Shaun P. Nelson	75	40.11%	55	49.11%	130	43.48%
Chad Cooksey	112	59.89%	57	50.88%	169	56.52%

Cast Votes:

187	97.91%	112	94.12%	289	98.45%
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Over Votes:

0	0.00%	0	0.00%	0	0.00%
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Under Votes:

4	2.08%	7	5.88%	11	3.55%
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Precinct Report — Unofficial
Waller, Texas — Waller ISD Board of Trustees Election — May 10, 2008

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 Precincts Reporting 4 of 4 = 100.00%

Total Number of Voters : 1,317 of 39,996 = 3.29%

Party

Candidate

Early

Election

Total

Precinct 3 Roberts Rd (Ballots Cast: 126)

Trustee, Position 1, Vote For 1		Cast Votes:		Over Votes:		Under Votes:	
Jerniah Richards	2	2.00%	0	0.00%	2	1.59%	
David A. Kirkpatrick	98	98.00%	26	100.00%	124	98.41%	

Trustee, Position 2, Vote For 1		Cast Votes:		Over Votes:		Under Votes:	
Shaun P. Nelson	94	84.00%	28	100.00%	120	95.24%	
Charli Cooksey	6	6.00%	0	0.00%	6	4.76%	

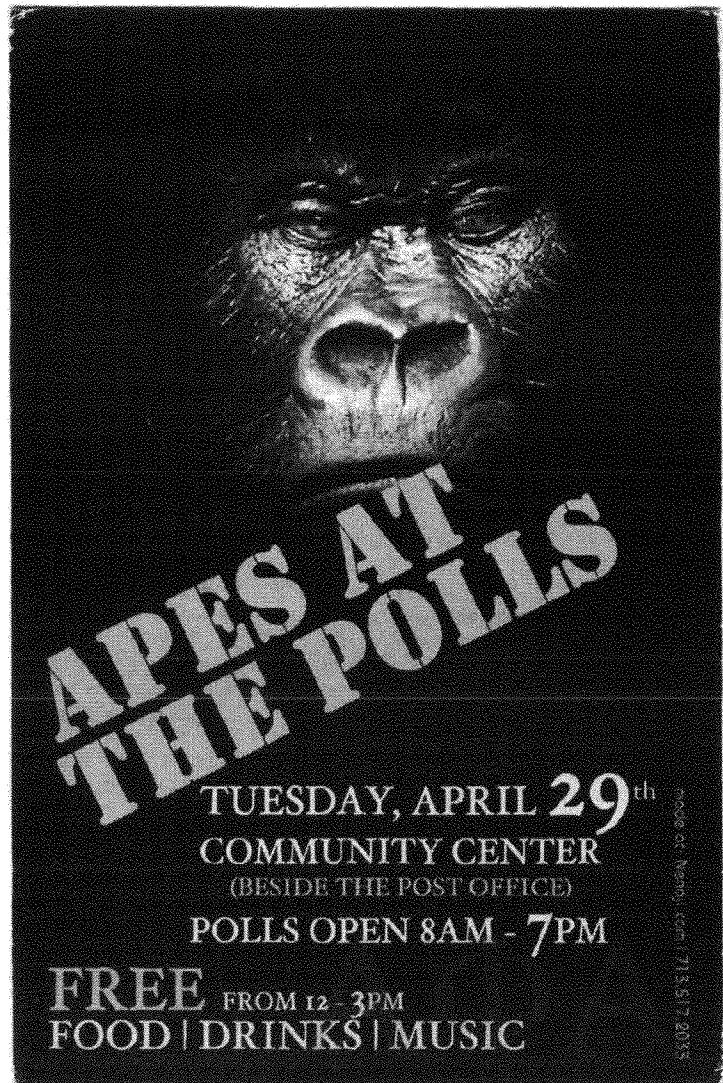
Precinct Report — Unofficial
Waller, Texas — Waller ISD Board of Trustees Election — May 10, 2008

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05/12/2008 03:11 PM
 Precincts Reporting 4 of 4 = 100.00%

Party	Candidate	Precinct 4 Fields Store (Ballots Cast: 257)		Total
		Early	Election	
Trustee, Position 1, Vote For 1				
Jemian Richards		0	0.00%	
David A. Kirkpatrick		173	100.00%	
	Cast Votes:			
	Over Votes:			
	Under Votes:			
Trustee, Position 2, Vote For 1				
Shaun P. Nelson		173	98.43%	
Charli Cooksey		1	0.57%	
	Cast Votes:			
	Over Votes:			
	Under Votes:			

Exhibit B



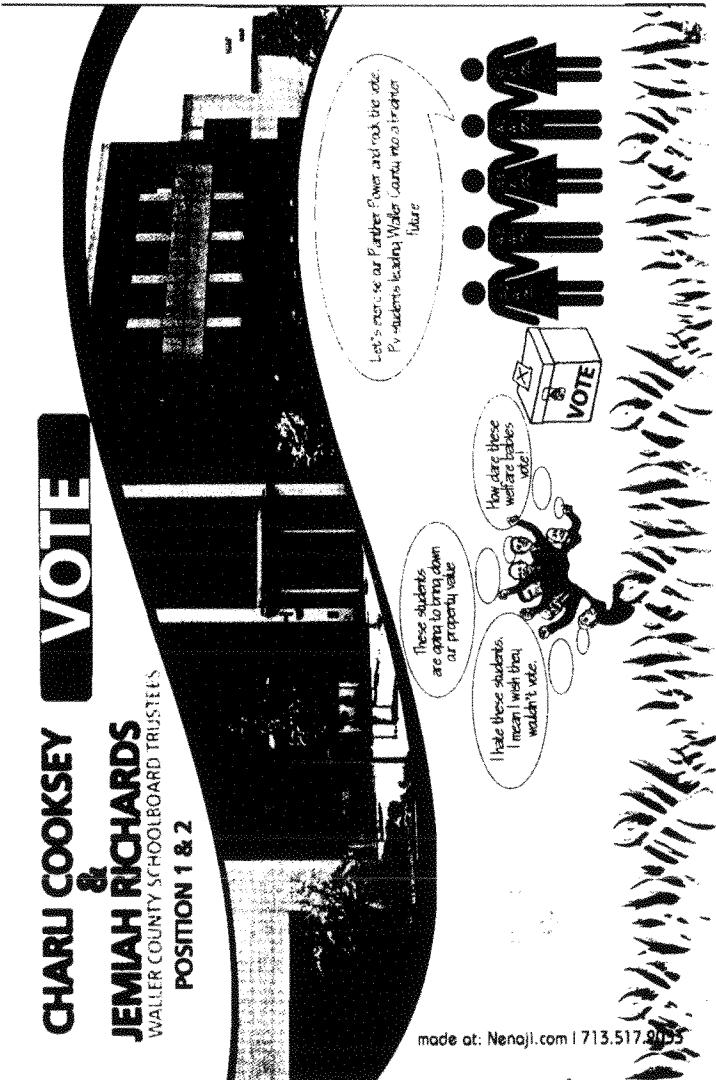


Exhibit C

Vu, Stacey

From: Ty Clevenger [tyclevenger@yahoo.com]
Sent: Tuesday, May 13, 2008 8:44 PM
To: Mizell, Pat; Sylvia Cedillo
Cc: Vu, Stacey; Mehta, Persis
Subject: Re: Results and pushcard

Mr. Charleston has no comment on the flyer. Do you have any election-day results that are broken down by polling site? As I understand the attachment you sent, the only site-specific results are the early voting results.

----- Original Message -----

From: "Mizell, Pat" <pmizell@velaw.com>
To: Ty Clevenger <tyclevenger@yahoo.com>; Sylvia Cedillo <sylvia.cedillo@yahoo.com>
Cc: "Vu, Stacey" <svu@velaw.com>; "Mehta, Persis" <pmehta@velaw.com>
Sent: Tuesday, May 13, 2008 2:58:26 PM
Subject: Results and pushcard

Attached are the results. Also attached is a flyer, please confirm that Dewayne Charleston published it, or it was published at his direction.

Patrick W. Mizell

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Cell 713.628.9935
pmizell@velaw.com

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Thank You.
